RECEIVED CENTRAL FAX CENTER JUL 2 1 2006

Certificate of Transmission under 37 CFR 1.8 I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to: Facsimile No: 571.273.8300

July 21, 2006

mitt Carlse

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary T. Albright Examiner: Canfield, Robert

Serial No.: 10/695,322 Art Unit: 3635

Filed: 10/27/2003 Confirmation No: 4872

Title: Simulated Wood Roofing Shake Docket No: 00725.P1US

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed <u>03/21/2006</u>, please amend the above-identified application as follows:

## I. Introductory Comments

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.

The Examiner has indicated that claims 1-15 are pending in the application; that claim 6 is objected to because "said cavity" lacks antecedent basis; that claims 1, 7, 8, and 13 are rejected under 35 U.S.C. 102(b) as anticipated by the patent to Elmendorf (US 2,276,107); that claims 1

Appl. Ser. No: 10/695,322 Office Action Mailed: 03/21/2006 Reply Date: 07/21/2006 Page 2 of 7

and 2 are rejected under 35 U.S.C. 102(b) as anticipated by the patent to Gibbs (US 6,052,961; that claims 3, 6, and 11 are rejected under 35 U.S.C. 103(a) as unpatentable over Gibbs in view of Hlasnicek (US 5,630,305); that claims 4 and 5 are rejected under 35 U.S.C. 103(a) as unpatentable over Gibbs as modified by Hlasnicek, and further in view of the patent to Gadsby (US 3,899,855); that claim 12 is rejected under 35 U.S.C. 103(a) over Gibbs in view of Manner (US 5,295,339); and that claims 9, 10, 14 and 15 are objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant, by this Amendment, cancels all of the claims under rejection and objection as well as claims 9 and 10, amends claims 14, adds new claims 16 through 34, all in accordance with the examiner's indications.

New independent claim 16 is original claim 9 rewritten in independent form to include all of the limitations of base claim 1, there being no intervening claims. Claims 17-25 depend from new claim 16, or from a claim depending therefrom, and include the limitations of previously presented claims 2-8 and 11-12.

New independent claim 26 is original claim 10 rewritten in independent form to include all of the limitations of base claim 1, there being no intervening claims. Claims 27-34 depend from new claim 24, or a claim depending therefrom, and include the limitations of previously presented claims 2-9 and 11-12.